

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
DOCKET NO. 1:15-cr-00095-MOC**

**UNITED STATES OF AMERICA,**

**Vs.**

**AARON LEE HENDRICKSON,**

Defendant.

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**ORDER**

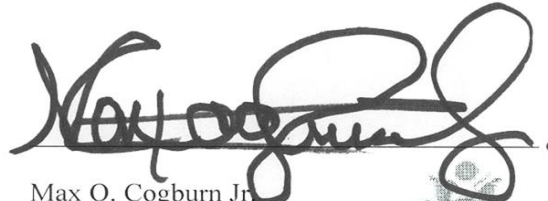
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**THIS MATTER** is before the Court on Defendant’s pro se Motion to Modify Sentence. (Doc. No. 103). The Government argues that Defendant’s Motion must be dismissed because this Court lacks jurisdiction to grant the requested relief. (Doc. No. 105).

Defendant requests that this Court modify his sentence by crediting time served in state custody. (Doc. No 103). But “[a] claim for credit against a sentence attacks the computation and execution of the sentence rather than the sentence itself.” United States v. Miller, 871 F.2d 488, 490 (4th Cir. 1989). Sentence computation and execution are overseen by the Bureau of Prisons. Judicial review of a claim for credit against a sentence must be brought under 28 U.S.C. § 2241 in the district of confinement. (Id.)

Defendant is confined at Federal Correctional Institution McKean in the Western District of Pennsylvania. Because Defendant is confined outside the Western District of North Carolina, this Court lacks jurisdiction to review Defendant’s claim for credit against his sentence. Defendant must instead seek review under 28 U.S.C. § 2241 in the Western District of Pennsylvania.

**IT IS, THEREFORE, ORDERED** that Defendant's Motion to Modify Sentence (Doc. No. 103) is **DISMISSED** for lack of jurisdiction. The Government's Motion to Dismiss Defendant's Motion to Modify Sentence (Doc. No. 105) is **GRANTED**.



Max O. Cogburn Jr.  
United States District Judge

Signed: December 6, 2023